



# STATE OF WISCONSIN

# Senate Journal

## Ninety–Eighth Regular Session

11:43 A.M.

TUESDAY, January 22, 2008

The Senate met.

The Senate was called to order by President Risser.

Senator Decker, with unanimous consent, asked that the roll call, prayer, and pledge of the special session be applied to the regular session.

Senator Breske, with unanimous consent, asked that the Senate recess until 12:30 P.M.

11:44 A.M.

### RECESS

12:30 P.M.

The Senate reconvened.

President Risser in the chair.

The Chair noted the possible lack of a quorum.

The roll was called and a quorum was present.

### CHIEF CLERK'S ENTRIES

#### AMENDMENTS OFFERED

Senate amendment 1 to **Assembly Bill 321** offered by Senator Wirch.

Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 308** offered by Senator Plale.

### INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS; REFERENCE OF APPOINTMENTS

Read first time and referred:

#### **Senate Bill 404**

Relating to: making companies that hire illegal aliens ineligible for certain tax exemptions, governmental contracts, grants, and loans, granting rule-making authority, and providing penalties.

By Senators Breske, Hansen, Kreitlow, Lehman, Wirch and Decker; cosponsored by Representatives Hahn, Hines, Musser and Vruwink.

To committee on **Labor, Elections and Urban Affairs**.

#### **Senate Bill 405**

Relating to: providing instruction in human growth and development.

By Senators Taylor, Erpenbach, Plale, Risser and Miller; cosponsored by Representatives Grigsby, Benedict, Berceau, Black, Boyle, Fields, Kessler, Parisi, Pocan, Pope–Roberts, Seidel, Sheridan, Sinicki, Soletski, Toles, Turner, Young and Zepnick.

To committee on **Education**.

#### **Senate Bill 406**

Relating to: parenting plans in actions affecting the family.

By Senators Taylor, Miller, Plale and Schultz; cosponsored by Representatives Albers, Sinicki, Grigsby and Turner.

To committee on **Judiciary, Corrections, and Housing**.

#### **Senate Bill 407**

Relating to: a municipal court judgment regarding community service work.

By Senators Taylor, Plale, Schultz and Miller; cosponsored by Representatives Albers, Turner, Sinicki and Grigsby.

To committee on **Judiciary, Corrections, and Housing**.

#### **Senate Bill 408**

Relating to: motor vehicle occupational licenses issued by the Department of Transportation.

By Senators Taylor, Schultz, Plale and Miller; cosponsored by Representatives Grigsby, Turner and Sinicki.

To committee on **Transportation and Tourism**.

### PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule [17 \(5\)](#), Senator Hansen added as a coauthor of **Senate Bill 212**.

Pursuant to Senate Rule [17 \(5\)](#), Senator Miller added as a coauthor of **Senate Bill 212**.

Pursuant to Senate Rule [17 \(5\)](#), Senator Miller added as a coauthor of **Senate Bill 298**.

Pursuant to Senate Rule [17 \(5\)](#), Senator Wirch added as a coauthor of **Senate Bill 298**.

Pursuant to Senate Rule [17 \(5\)](#), Senator Darling added as a coauthor of **Senate Bill 298**.

Pursuant to Senate Rule [17 \(5\)](#), Senator Sullivan added as a coauthor of **Senate Bill 212**.

Pursuant to Senate Rule [17 \(5\)](#), Representative Toles added as a cosponsor of **Senate Bill 387**.

Pursuant to Senate Rule [17 \(5\)](#), Representative Toles added as a cosponsor of **Senate Bill 403**.

**REFERRALS AND RECEIPT OF COMMITTEE  
REPORTS CONCERNING PROPOSED  
ADMINISTRATIVE RULES**

The committee on **Small Business, Emergency Preparedness, Workforce Development, Technical Colleges and Consumer Protection** reports and recommends:

**Senate Clearinghouse Rule 07–054**

Relating to unemployment insurance rules for determining a claimant's ability and availability for work and affecting small businesses.

No action taken.

*ROBERT WIRCH*  
Chairperson

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**SECOND READING AND AMENDMENTS OF  
SENATE JOINT RESOLUTIONS  
AND SENATE BILLS**

**Senate Bill 138**

Relating to: claims for loss of society and companionship in medical malpractice cases.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 138**

Read a third time.

The ayes and noes were required and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Lassa, Lehman, Miller, Plale, Risser, Robson, Roessler, Sullivan, Taylor, Vinehout and Wirch – 18.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lazich, Leibham, Olsen and Schultz – 15.

Absent or not voting – None.

Passed.

**Senate Bill 212**

Relating to: renewals and extensions of business contracts.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 212?**

Adopted.

The question was: Adoption of Senate amendment 2 to **Senate Bill 212?**

Adopted.

The question was: Adoption of Senate amendment 3 to **Senate Bill 212?**

Adopted.

The question was: Adoption of Senate amendment 4 to **Senate Bill 212?**

Adopted.

The question was: Adoption of Senate amendment 5 to **Senate Bill 212?**

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 212**

Read a third time and passed.

**Senate Bill 297**

Relating to: nursery dealers, nursery growers, Christmas tree growers, and granting rule-making authority.

Read a second time.

Senate amendment 1 to **Senate Bill 297** offered by Senator Vinehout.

The question was: Adoption of Senate amendment 1 to **Senate Bill 297?**

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 297**

Read a third time and passed.

**Senate Bill 298**

Relating to: regulating foreclosure reconveyances and foreclosure consultants, staying certain eviction actions, providing an exemption from rule-making procedures, and providing a penalty.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 298?**

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 298**

Read a third time and passed.

**Senate Bill 325**

Relating to: moneys used to reimburse the cost of drugs to treat HIV infections and making appropriations (suggested as remedial legislation by the Department of Health and Family Services).

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 325**

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirsch – 33.

Noes – None.

Absent or not voting – None.

Passed.

### **Senate Bill 327**

Relating to: replacing the term lead inspection with the term lead investigation with respect to the level of lead in certain premises (suggested as remedial legislation by the Department of Health and Family Services).

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

### **Senate Bill 327**

Read a third time and passed.

### **Senate Bill 328**

Relating to: service of notice for certain licensees, registrants, or holders of certificates or applicants for licensure, registration, or certification (suggested as remedial legislation by the Department of Health and Family Services).

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

### **Senate Bill 328**

Read a third time and passed.

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## **SECOND READING AND AMENDMENTS OF ASSEMBLY JOINT RESOLUTIONS AND ASSEMBLY BILLS**

### **Assembly Bill 39**

Relating to: allowing access to pending paternity proceeding information for purposes of administering the child support establishment program.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

### **Assembly Bill 39**

Read a third time and concurred in.

### **Assembly Bill 295**

Relating to: public access to voter registration identification numbers.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

### **Assembly Bill 295**

Read a third time and concurred in.

### **Assembly Bill 580**

Relating to: objecting to property tax assessments.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

### **Assembly Bill 580**

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 1; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirsch – 32.

Noes – Senator Lazich – 1.

Absent or not voting – None.

Concurred in.

Senator Decker, with unanimous consent, asked that all action be immediately messaged to the Assembly.

Messaged.

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## **ANNOUNCEMENTS, ADJOURNMENT HONORS, AND REMARKS UNDER SPECIAL PRIVILEGE**

Senator Wirsch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Rich Vittori who is recovering from a stroke.

Senator Taylor, with unanimous consent, asked that when the Senate adjourn, it do so in honor of her aunt Judith Dunlap who passed away from cancer.

Senator Robson, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Ken Hendricks, who passed away on December 21. He was a high school dropout who built an empire in the building supply industry. He understood and implemented economic development and job creation. His flagship company was ABC Supply, and he owned about 30 other companies. Besides being a visionary entrepreneur, he was a philanthropist and a volunteer on numerous boards. When people wanted sage advice on anything related to community-building, they turned to Ken Hendricks. He served on the Board of Directors of WisconsinEye and was one of the major contributors to get it off the ground. One of his companies, The Hendricks Group, is the major sponsor for the Beloit International Film Festival. He was a major figure in turning abandoned industrial sites in Beloit

into shining new commercial complexes. By the time he died at the age of 66, he was 91st on the Forbes list of richest Americans. Yet he never put on pretensions. He was down-to-earth to the end. He never forgot his blue collar roots—he hung out at the coffee shops and was one of the people. He died from a fall while inspecting a construction job underway on his home. Ken Hendricks' imprint will remain on Beloit and Wisconsin forever.

Senator Olsen, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Henry Piechowski who passed away last week. He was a well-respected man in his Senate district being politically active for many years; in fact, he was politically active since the 1930's. His sons make many contributions to their communities and some of you may know his daughter Jeanne who is married to former State Senator Bob Welch.

Senator Plale, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Katy Venskus who recently left his office. Katy was a great employee, great committee clerk, and great chief of staff.

Senator Jauch, along with Senator Harsdorf, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Marilyn Stower. Marilyn is the wife of former legislator Harvey Stower. She has been at home with Harvey and her daughters, Lizzie and Katie, as she courageously deals with a serious illness. Marilyn is a person of many gifts, and some may refer to her as the Mother Theresa of Amery, Wisconsin because of her compassion, dedication, and strength. She has dealt with her illness with grace and dignity. She has always shown a deep appreciation for the life that she has been given, and in turn we show our appreciation for the gifts of her life which she has given to all of us.

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## ADJOURNMENT

Senator Decker, with unanimous consent, asked that the Senate adjourn until 6:30 P.M., Wednesday, January 23, 2008.

Adjourned.

1:11 P.M.